Tuesday, January 19, 2021

Francis Abbott **Executive Director** Louisiana Board of Pardons and Committee on Parole P.O. Box 94303 Baton Rouge, Louisiana 70804-9304

Louisiana Board of Ethics Re:

Docket No. 2020-912

Dear Mr. Abbott:

The Louisiana Board of Ethics ("Board"), at its February 5, 2021 in Setting, considered your request for an advisory opinion as to whether the Louisiana Code of Governmental Ethics ("Code") would prohibit former employees of the Louisiana Department of Public Safety and Correction Division of Probation and Parole ("P&P") from entering into a contract with the Louisiana Board of Pardons & Committee on Parole (LBPCP).

FACTS PROVIDED

You are the Executive Director of the BRCP. The LBPCP anticipates receiving grant funds through the Louisiana Commission on Law Enforcement to retain Victim Assistance Coordinators ("VAC") and station WACs around Louisiana. You have inquired about whether former P&P employees can be hired as VAC on a contractual basis.

La. R.S. 42:1121(B) provides that no former public employee shall, for a period of two years following the termination of his public employment, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such former public employee participated at any time during his public employment and involving the governmental entity by which he was formerly employed, or for a period of two years following the termination of his public employment, render, any service which such former public employee had rendered to the agency during the term of his public employment on a contractual basis, regardless of the parties to the contract, to, for, or on behalf of the agency with which he was formerly employed.

CONCLUSION

The Board concluded, and instructed me to inform you, that based on the facts presented, the Code will not prohibit former P&P employees from entering into a contract with the LBPCP to provide VAC services. La. R.S. 42:1121(B) prohibits former public employees from "render[ing], any service which such former public employee had rendered to the agency during the term of his public employment on a contractual basis, regardless of the parties to the contract, to, for, or on behalf of the agency with which he was formerly employed XXBPCP is not the former agency of former P&P employees. Therefore, La. R.S. 42:1121(B) does not prohibit for P&P employees from entering into a contract with LBPCP to provide VAC services.

This advisory opinion is based solely on the facts as set forth herein Changes to the facts as presented may result in a different application of the provisions of the code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws. If you have any questions, please contact

Act the Act th **LOUISIANA BOARD OF ETHICS**